

Joyce W. Lindauer
State Bar No. 21555700
Gordon Green
State Bar No. 24083102
Aaron Michelsohn
State Bar No. 24085473
Attorneys at Law
12720 Hillcrest Road, Suite 625
Dallas, Texas 75230
Telephone: (972) 503-4033
Facsimile: (972) 503-4034
ATTORNEYS FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE: §
§
JOAQUIN & MARCO, INC., § **CASE NO. 15-40114-btr**
§ **Chapter 11**
Debtor. §

**DEBTOR'S APPLICATION FOR ORDER AUTHORIZING
THE EMPLOYMENT OF RAIDER CONSULTING, LLC AS
FINANCIAL CONSULTANTS AND ACCOUNTANTS**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NO HEARING WILL BE CONDUCTED ON THIS APPLICATION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS APPLICATION SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING UNLESS IT DETERMINES THAT AN EVIDENTIARY HEARING IS NOT REQUIRED AND THAT THE COURT'S DECISION WOULD NOT BE SIGNIFICANTLY AIDED BY ORAL ARGUMENT. IF YOU FAIL TO APPEAR AT ANY SCHEDULED HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW, Joaquin & Marco, Inc. (“Debtor”), the Debtor and Debtor-in-Possession in the above-styled and numbered case, and files this its application for entry of an order authorizing the employment of Raider Consulting, LLC as financial consultants and accountants for the Debtor as of February 10, 2015, and in support of same would respectfully show the Court as follows:

I. JURISDICTION

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334.

Consideration of this action is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

II. PROCEDURAL BACKGROUND

2. Debtor filed its voluntary petition under Chapter 11, Title 11, of the United States Bankruptcy Code on January 19, 2015, in the United States Bankruptcy Court for the Eastern District of Texas, Sherman Division.

3. The Debtor operates a restaurant located in Dallas, Texas. No trustee, examiner, or official committee has been appointed in the Bankruptcy Case.

III. BASIS FOR RETENTION OF RICHARD G. THOMPSON, CPA, PC

4. In support of this Application, the Debtor relies upon the affidavit of Gregory T. Cook of Raider Consulting, LLC (the “Affidavit”), attached hereto as “**Exhibit A**” and incorporated as if fully set forth herein.

5. Subject to the approval of this Court, the Debtor seeks to employ Raider Consulting, LLC to provide financial consulting and accounting services effective as of February 10, 2015, under the terms set forth in this Application.

6. Raider Consulting, LLC provides accounting and financial consulting services to businesses.

7. The Debtor anticipates that Raider Consulting, LLC may render, without limitation, the following accounting and financial advisory services in the Bankruptcy Case:

- a. assisting the Debtor in the analysis of the Debtor's financial position, assets, and liabilities;
- b. assisting the Debtor in the accounting of all receipts and disbursement from the estate and the preparation of all necessary reports in relation thereto;
- c. assisting the Debtor in the development of a plan of reorganization and in the preparation of an accompanying disclosure statement, any amendments to the plan or disclosure statement, and any related agreements and/or documents;
- d. assisting the Debtor in the preparation of a final report and final accounting of the administration of the estate;
- e. performing all other accounting services and providing all other financial advice to the Debtor in connection with this Chapter 11 case as may be required or necessary.

8. Subject to this Court's approval of the Application, Raider Consulting, LLC is willing to serve as accounting firm to the Debtor and to perform the services described herein.

9. Raider Consulting, LLC has the necessary accounting background to deal effectively with many of the needs that may arise in the context of the Debtor's reorganization. Given Raider Consulting, LLC's background and experience, the Debtor believes that this accounting firm is both well-qualified and uniquely able to provide services to it in this Bankruptcy Case in the most efficient and timely manner.

10. Raider Consulting, LLC will maintain detailed, contemporaneous records of time and any actual and necessary expenses incurred in connection with the rendering of the accounting and related services for the Debtor as described in the Application and pursuant to the applicable guidelines.

11. Raider Consulting, LLC has also been retained to represent the following related Debtors in their Chapter 11 bankruptcy case filings:

- a. *Matt's Tex Mex Roanoke, LLC*, Case No. 15-40113, currently pending in the United States Bankruptcy Court for the Eastern District of Texas, Sherman, Division.
- b. *Estella's in Garland, LLC*, Case No. 15-40117, currently pending in the United States Bankruptcy Court for the Eastern District of Texas, Sherman, Division.

12. Raider Consulting, LLC was not employed pre-petition by the Debtor and therefore does not have a pre-petition balance due from the Debtor.

13. The compensation to be paid to Raider Consulting, LLC shall be as follows:

Gregory T. Cook	\$225.00 per hour
Cathy A. Sonnier	\$125.00 per hour

14. To the best of the Debtor's knowledge, Raider Consulting, LLC has no connection with, or any interest adverse to, the Debtor, the Debtor's estate, the Debtor's significant creditors, or other party-in-interest as set forth in the Declaration. The Debtor further believes that Raider Consulting, LLC are "disinterested persons," as such term is defined in section 101(14) of the Bankruptcy Code (as modified by section 1107(b) of the Bankruptcy Code) and as required under section 327(a) of the Bankruptcy Code.

15. Raider Consulting, LLC intends to apply to this Court for allowance on an interim and final basis of compensation for services rendered and reimbursement of expenses incurred as of January 19, 2015 in accordance with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Bankruptcy Rules, and any applicable orders of the Court.

IV. AUTHORITY FOR RELIEF

16. The Bankruptcy Code authorizes a debtor-in-possession, with the Court's approval, to "employ one or more attorneys, accountants, appraisers, auctioneers or other professional Debtor's Application for Order Authorizing the Employment
of Raider Consulting, LLC as Accountants

persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title." 11 U.S.C § 327(a). As supported by the Declaration, the Debtor believes Raider Consulting, LLC is appropriate to serve as the Debtor's accountant under section 327(a).

17. Furthermore, section 328(a) of the Bankruptcy Code provides that a debtor "with the court's approval, may employ or authorize the employment of a professional person under section 327 . . . on any reasonable terms and conditions of employment, including on a retainer, on an hourly basis, or on a contingent fee basis." 11 U.S.C § 328(a). The Debtor believes that Raider Consulting, LLC's rates are reasonable and comparable to the rates charged by other accounting firms in the Eastern District of Texas.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully requests entry of an interim and final order (i) approving the Debtor's retention of Raider Consulting, LLC to serve as accountants for the Debtor pursuant to sections 327(a) and 328(a) of the Bankruptcy Code, and (ii) granting the Debtor such other and further relief as is just and proper.

Dated: February 19, 2015.

Respectfully submitted,

/s/ Joyce W. Lindauer
Joyce W. Lindauer
State Bar No. 21555700
Gordon Green
State Bar No. 24083102
Aaron Michelsohn
State Bar No. 24085473
Attorneys at Law
12720 Hillcrest Road, Suite 625
Dallas, Texas 75230
Telephone: (972) 503-4033
Facsimile: (972) 503-4034
ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 19, 2015, a true and correct copy of the foregoing Application has been served via United States first class mail, postage prepaid, to all parties on the attached mailing matrix.

/s/ Joyce W. Lindauer
Joyce W. Lindauer

Case 15-40114 Doc 45 Filed 02/19/15 Entered 02/19/15 15:04:12 Desc Main Document Page 7 of 13

Label Matrix for local noticing
0540-4
Case 15-40114
Eastern District of Texas
Sherman
Thu Feb 19 14:46:08 CST 2015
AT&T Mobility
P.O. Box 650553
Dallas, TX 75265-0553

ASG Security
P.O. Box 650837
Dallas, TX 75265-0837

AT&T U-verse
P.O. Box 5014
Carol Stream, IL 60197-5014

AT&T Mobility
P.O. Box 6463
Carol Stream, IL 60197-6463

Ally
P.O. Box 9001948
Louisville, KY 40290-1948

Ally Financial
PO Box 130424
Roseville, MN 55113-0004

Alamo Buckner
3707 N. Buckner
Dallas, TX 75228-5611

American Ice Machines
2524 White Settlement Road
Fort Worth, TX 76107-1453

Atmos Energy
P.O. Box 790311
St. Louis, MO 63179-0311

Atmos Energy Corporation
Attn: Bankruptcy Group
PO Box 650205
Dallas TX 75265-0205

Attorney General of Texas
Bankruptcy Division
PO Box 12548
Austin, TX 78711-2548

Auto-Chlor Services, LLC
P.O. Box 4869
Houston, TX 77210-4869

Axis Capital, Inc.
P.O. Box 2555
Grand Island, NE 68802-2555

Bluebonnet Waste Control
P.O. Box 223845
Dallas, TX 75222-3845

William Steven Bryant
Locke Lord LLP
600 Travis Street, Suite 2800
Houston, TX 77002-2914

Capital One, N.A.
Attn: Clinton J. Coe, Sr. Vice President
Business Banking Group
2300 W. Eldorado Parkway
McKinney, TX 75070-4361

(p)CITY OF DALLAS
C O CITY SECRETARYS OFFICE
DALLAS CITY HALL
1500 MARILLA STREET ROOM 5D SOUTH
DALLAS TX 75201-6390

City of Dallas
Security Alarms
P.O. Box 139076
Dallas, TX 75313-9076

Coca-Cola
P.O. Box 840232
Dallas, TX 75284-0232

(p)TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION
PO BOX 13528
AUSTIN TX 78711-3528

Cozzini Brothers
350 Howard Avenue
Des Plaines, IL 60018-1908

DMS
17480 N. Dallas Parkway, Suite 212
Dallas, TX 75287-7362

Dal-Worth Industries, Inc.
P.O. Box 5504
Arlington, TX 76005-5504

Dallas County
Linebarger Goggan Blair & Sampson, LLP
c/o Laurie Spindler
2777 N. Stemmons Frwy Ste 1000
Dallas, TX 75207-2328

Dallas County
Linebarger Goggan Blair & Sampson, LLP
c/o Laurie Spindler Huffman
2777 N. Stemmons Frwy Ste 1000
Dallas, Texas 75207-2328

Direct Source Products
P.O. Box 270530
Flower Mound, TX 75027-0530

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Ecolab - Industrial
P.O. Box 70343
Chicago, IL 60673-0343

Ecolab Equipment Care
Food Service Specialties
24198 Network Place
Chicago, IL 60673-1241

First Data Global Leasing
P.O. Box 173845
Denver, CO 80217-3845

Heather M. Forrest
Jackson Walker L.L.P.
901 Main Street, Suite 6000
Dallas, TX 75202-3797

Frozen Drinks
12920 Senlac Drive, Suite 150
Farmers Branch, TX 75234-9242

Frymire Services
P.O. Box 29197
Dallas, TX 75229-0197

Garland Welding Supply Co. Inc.
1960 Forest Lane
Garland, TX 75042-7916

Gasket Guy DFW, Inc.
5432 Willow Wood Lane
Dallas, TX 75252-2655

Gordon Green
8140 Walnut Hill Lane
Suite 301
Dallas, TX 75231-4328

Hagar Restaurant Service LLC
6200 N.W. 2nd Street
Oklahoma City, OK 73127-6520

Hank the Handy Man
2919 W. 11th Street
Irving, TX 75060-3515

Hardies' Fruit & Vegetable Company
P.O. Box 610484
Dallas, TX 75261-0484

Hudson Energy
P.O. Box 731137
Dallas, TX 75373-1137

Laurie Spindler Huffman
Linebarger, Goggan, Blair & Sampson
2777 N. Stemmons Frwy Ste 1000
Dallas, TX 75207-2328

Icon Ecological Solutions
5432 Bridgeport Road
McKinney, TX 75071-4987

Interface Security
8339 Solutions Center
Chicago, IL 60677-8003

Internal Revenue Service
Centralized Insolvency
PO Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
Mail Code DAL-5020
1100 Commerce Street
Dallas, Texas 75242-1100

JMR Electrical Services
6809 Harmon Road
North Richland Hills, TX 76180-8827

Joaquin & Marco, Inc.
508 N. Central Expressway
Dallas, TX 75080-5314

KPM Ventures, LTD
P.O. Box 941428
Plano, TX 75094-1428

La Mexicana Tortilla Factory, Inc.
715 Skyline Drive
Duncanville, TX 75116-3923

Ladco Leasing
7300 Chapman Highway
Knoxville, TN 37920-6612

Billy G. Leonard Jr.
Attorney at Law
1650 W. Virginia Street
Suite 211
McKinney, TX 75069-7703

Joyce W. Lindauer
12720 Hillcrest Road
Suite 625
Dallas, TX 75230-2035

Linebarger Goggan Blair & Sampson
2777 N. Stemmons Freeway
Suite 1000
Dallas, TX 75207-2328

Lopez Tortilla Foods, Inc.
9731 Brockbank Drive
Dallas, TX 75220-2926

Main Street Hub
600 Congress Avenue, Suite 1200
Austin, TX 78701-2940

Marlin Business Bank
P.O. Box 13604
Philadelphia, PA 19101-3604

Northwestern Mutual
P.O. Box 3009
Milwaukee, WI 53201-3009

Heather J. Panko
Stutzman, Bromberg, Esserman & Plifk, PC
2323 Bryan Street, Suite 2200
Dallas, TX 75201-2689

PrimaCare Medical Centers
P.O. Box 742827
Dallas, TX 75374-2827

Red Book Solutions
26433 Network Place
Chicago, IL 60673-1264

Rewards Network
Attn: Alice Geene, Chief Legal Counsel
2 North Riverside Plaza, Suite 200
Chicago, IL 60606-2677

SL Lakewood LP
300 Crescent Court, Suite 111
Dallas, TX 75201-1876

SL Lakewood, LP
c/o Locke Lord LLP
Attn: W. Steven Bryant
600 Travis Street, Ste. 2800
Houston, TX 77002-2914

Scarborough, Medlin & Associates
5700 Granite Parkway, Suite 500
Plano, TX 75024-6640

Sigels
2960 Anode Lane
Dallas, TX 75220-1406

Jason Starks
300 West 15th St., 8th Floor
Austin, TX 78701-1649

State Auto
P.O. Box 182738
Columbus, OH 43218-2738

Swisher Hygiene Franchisee Trust
P.O. Box 473526
Charlotte, NC 28247-3526

Texas Comptroller of Public Accounts
Jason Starks
P.O. Box 12548
Austin, TX 78711-2548

Texas Premium Candy
627 Adams Drive
Duncanville, TX 75137-2552

Texas Workforce Commission
101 East 15th Street
Austin, TX 78778-0001

The Leasing Experts, Inc.
9710 East Indigo Street, Suite 203
Miami, FL 33157-5613

Time Warner Cable
P.O. Box 60074
City of Industry, CA 91716-0074

(p)TOYOTA MOTOR CREDIT CORPORATION
PO BOX 8026
CEDAR RAPIDS IA 52408-8026

Trinity Chemical Partners
5435 N. Garland Road, No. 276
Garland, TX 75040-2785

U. S. Attorney
110 N. College Ave.
Suite 700
Tyler, TX 75702-0204

U. S. Trustee's Office
110 N. College Street
Suite 300
Tyler, TX 75702-7231

U.S. Attorney General
Department of Justice
Main Justice Building
10th & Constitution Ave., NW
Washington, DC 20530-0001

US Foods
Fish License #17108
Box 843202
Dallas, TX 75284-3202

US Trustee
Office of the U.S. Trustee
110 N. College Ave.
Suite 300
Tyler, TX 75702-7231

Uncle Bob's Storage
3222 N. Shiloh Road
Garland, TX 75044-8016

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

City of Dallas
1500 Marilla Street, 2D South
Dallas, TX 75201

(d)City of Dallas
Beverage License
1500 Marilla Street, 2D South
Dallas, TX 75201

(d)City of Dallas
Code Compliance
7901 Goforth Road
Dallas, TX 75238

(d)City of Dallas
Food Protection
7901 Goforth Road
Dallas, TX 75238

(d)City of Dallas
Permit Center
320 E. Jefferson, Room 203
Dallas, TX 75203

(d)City of Dallas
Special Collections
1500 Marilla Street, 2D South
Dallas, TX 75201

Comptroller of Public Accounts
Liquor License
PO Box 149359
Austin, TX 78714-9359

(d)Comptroller of Public Accounts
Revenue Accounting Division
Bankruptcy Section
PO Box 13528
Austin, TX 78711-0000

(d)Comptroller of Public Accts
Rev Acctg Div/Bankruptcy Dept
PO BOX 13528
Austin, TX 78711

Direct TV
P.O. Box 60036
Los Angeles, CA 90060

Toyota Financial Services
P.O. Box 5855
Carol Stream, IL 60197

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Capital One, N.A.

(u)Rewards Network Establishment Services, In

	End of Label Matrix
Mailable recipients	87
Bypassed recipients	2
Total	89

EXHIBIT “A”

Joyce W. Lindauer
State Bar No. 21555700
Gordon Green
State Bar No. 24083102
Aaron Michelsohn
State Bar No. 24085473
12720 Hillcrest Road, Suite 625
Dallas, Texas 75230
Telephone: (972) 503-4033
Facsimile: (972) 503-4034
PROPOSED ATTORNEYS FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

**JOAQUIN & MARCO, INC.,
Debtor.**

§
§
§
§
§

**CASE NO. 15-40114-btr
Chapter 11**

AFFIDAVIT OF GREGORY T. COOK

STATE OF TEXAS)
)
COUNTY OF DENTON)

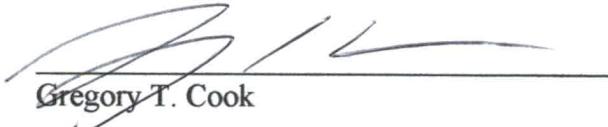
BEFORE ME the undersigned authority, on this day personally appeared the undersigned affiant, who by me sworn, upon oath stated:

1. "My name is Gregory T. Cook. I am over eighteen (18) years of age and I am Gregory T. Cook of Raider Consulting, LLC. My office is located at 6100 Preston Road, Suite 220, Frisco, Texas 75034. I have never been convicted of a crime and am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein and they are all true and correct to the best of my knowledge.

2. Raider Consulting, LLC does not have a pre-petition balance due from the Debtor and does not hold a claim against Joaquin & Marco, Inc. for services provided prior to the filing of this bankruptcy case.

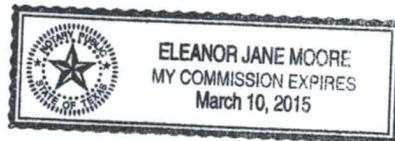
3. To the best of my knowledge, each member and associate of my firm is presently a disinterested person as defined in Section 101 (13) of the Bankruptcy Code. I am not a creditor or an insider of the Debtor or an employee of the office of the U.S. Trustee.

EXECUTED this 16th day of February, 2015.



Gregory T. Cook

SUBSCRIBED AND SWORN TO before me this 16th day of February, 2015.



Eleanor Jane Moore
Notary Public in and for the State of Texas
Printed Name: Eleanor Jane Moore
My Commission Expires: 3/10/15